

RALJ 9.1
BASIS FOR DECISION ON APPEAL

(a) Errors of Law. The superior court shall review the decision of the court of limited jurisdiction to determine whether that court has committed any errors of law.

(b) Factual Determinations. The superior court shall accept those factual determinations supported by substantial evidence in the record (1) which were expressly made by the court of limited jurisdiction, or (2) that may reasonably be inferred from the judgment of the court of limited jurisdiction.

(c) [Reserved.]

(d) Final Judgment Not Designated in Notice. The superior court will review a final judgment not designated in the notice of appeal only if the notice designates an order deciding a timely posttrial motion based on (1) CrRLJ 7.4 (arrest of judgment), (2) CrRLJ 7.5 (new trial), or (3) CRLJ 59 (new trial, reconsideration, and amendment of judgments).

(e) Disposition on Appeal Generally. The superior court may reverse, affirm, or modify the decision of the court of limited jurisdiction or remand the case back to that court for further proceedings.

(f) Limitation on Modification of Sentence. The superior court shall not modify the sentence imposed in a criminal case unless the sentence is incorrect as a matter of law.

(g) Form of Decision. The decision of the superior court shall be in writing and filed in the clerk's office with the other papers in the case. The reasons for the decision shall be stated.

(h) Discretionary Review. The decision of the superior court on appeal is subject to discretionary review pursuant to RAP 2.3(d).

[Adopted effective January 1, 1981; Amended effective September 1, 1991; November 7, 1995; September 1, 1998.]